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Answer the Critics of F.E.P.C.

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ARGUMENTS

Most Frequently Used

FOR AND AGAINST

Federal PERMANENT FEPC LEGISLATION

(Bills: S. 101 and H. R. 2232)

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NATIONAL COUNCIL FOR A PERMANENT FEPC

930 F Street, N. W.

Washington 4, D. C.

Can Public Welfare Be Fully Served Without An FEPC Law?

1. **AGAINST**—*The best way to do away with discrimination in employment is to achieve full employment.*

FOR—That is not necessarily so. In periods of full employment there is still discrimination: minorities are arbitrarily restricted to certain jobs (usually the menial, lower-paid jobs) or paid less wages than others for the same work. If full employment automatically meant fair employment, there would have been no need for FEPC during the war.

2. **AGAINST**—*Prejudice is an attitude, and attitudes cannot be changed by law any more than the Prohibition Law changed the drinking attitudes of the nation.*

FOR—This law has nothing to do with prejudice itself; it merely seeks to prevent the manifestations of prejudice of one person from inflicting themselves upon the economic life of another, within the limits of federal jurisdiction in employment. FEPC is related to prejudice only as laws forbidding driving while drunk are related to drinking.

3. **AGAINST**—*Attempts to enforce a law involving people's prejudices will create disruption and disunity. Group hatreds would be intensified. Conflicts and even race riots might result.*

FOR—On the contrary, this law is a necessary safety device. By maintaining impartial machinery for the orderly redress of grievances and for interpreting the law, it provides one of the best means of preventing racial strife. Those who suffer discrimination would be less likely to be driven to violent or unlawful behavior, or to be misled by un-American propagandists, when they know they can turn to the government for redress. Those who would wish to practice discrimination in employment would be less likely to do so if they knew the law would be enforced.

4. **AGAINST**—*If left alone, public opinion will automatically do away with discrimination. This law is revolutionary; it will upset the normal trend of progress.*

FOR—Human nature being what it is, even the Ten Commandments need to be implemented by legislation. The function of government in a democracy is to make public opinion the law of the land. Public opinion is effective only if it invokes sanctions, and now the public is ready to do so. This is indicated by the fact that spokesmen for organizations involving over sixty million people testified before the House and Senate Labor Committees in behalf of this FEPC legislation to implement their desire that there be no job discrimination in areas where the Federal Government has jurisdiction.

5. **AGAINST**—*This type of legislation is little more than a political bid for the votes of minorities.*

FOR—Politicians achieve or hold office by will of the majority of the voters in their districts, and their success depends upon their ability to reflect or anticipate public opinion. But even on the basis of politics alone, the fact remains that if FEPC is important enough politically to make a considerable difference in vote-getting, the welfare of the country certainly demands it. Moreover, it is a mistake to assume that only minorities are in favor of this legislation.

6. **AGAINST**—*Discrimination can best be eliminated through the educational process. We should look to the school and the church for the teaching of the evils of discrimination.*

FOR—Great progress is being made in these fields, but church and educational leaders support FEPC legislation as a bulwark to their teachings of fair practice, just as they support laws against stealing and other such infringements upon the rights of others as a bulwark to their teachings in other fields of honesty and morality. Besides, experience has shown that one of the easiest ways to be educated out of a prejudice is to have the actual experience of working beside a member of the group about which one has had false notions.

7. **AGAINST**—*Wouldn't it be wiser to experiment for a few years with an educational type of FEPC, but without enforcement powers?*

FOR—We already have the example and experience of four years of operation of an FEPC without enforcement powers, and are long past the experimental stage. We know from experience that even when discrimination delayed production of war material, some employers and unions ignored the pleas of the wartime FEPC. We also know that the remarkable record of compliance achieved by the wartime FEPC, despite its lack of enforcement powers, was made possible because of the manpower shortage and the pressure of the all-out effort on the home front. In peacetime these urgencies no longer exist. Enforcement powers are intended and required only for those who would refuse to comply with the law voluntarily. They should not be allowed to set a bad example and encourage lawlessness.

8. **AGAINST**—*Every individual has the right to discriminate. We all do, consciously or unconsciously, in the selection of our friends, our tradesmen, etc.*

FOR—Every individual has the right to grow roses or potatoes in his back yard, whichever he chooses. But he cannot grow either in the public road in front of his house. This law does not apply to the individual's personal or social life. It only prohibits him from inflicting his prejudices upon the job rights of others.

9. **AGAINST**—*This is "class legislation." It gives special privileges to special groups.*

FOR—No special privilege is granted any group. The law seeks merely to prevent the withholding of certain privileges from special groups. Its purpose is simply to extend to all in the area of federal jurisdiction, the privilege of being considered for employment on the basis of ability, character and training, regardless of race, color, creed or national origin.

10. **AGAINST**—*Such a law would lead to a quota system, and the criterion would become race, color, creed or national origin, instead of ability.*

FOR—A quota system would indeed be discriminatory and FEPC would prevent, rather than encourage its use.

11. **AGAINST**—*A Federal law would come in conflict with State segregation laws or community segregation customs where they exist.*

FOR—This law can be applied only in connection with equal job opportunity. It has nothing to do with racial separation in places of public accommodation.

12. **AGAINST**—*A Federal law would infringe on States' rights. Why not let the States that need it and are ready for it enact State laws?*

FOR—States, both as a practical matter and under the Constitution, cannot regulate the areas of interstate commerce, Federal employment and Federal contracts which this bill embraces. Purely local business is not affected by this bill. If a State does not need an FEPC it will not be adversely affected by a Federal FEPC; if it does, a Federal FEPC is the best way to begin, since it would apply only to that portion of its industry which is in interstate commerce or under contract to the Federal government. The whole theory of Federal regulation of interstate commerce is based on the realization that one State must be protected against unfair competition from another. To allow an industry in interstate commerce to compete unfairly with industry in other States by virtue of discriminatory wage rates, etc., is in direct violation of the U. S. Constitution.

13. **AGAINST**—*Minority group workers are often unclean and afflicted with disease. Why should others be forced to work beside them?*

FOR—The law does not require an employer to hire anyone who is unclean or afflicted with contagious disease. An employer is free to set any cleanliness or health standards he may wish. Social and health studies, however, have demonstrated that uncleanliness and disease are not peculiar to persons of any one race or religion, but are the unfortunate result of low economic and living standards.

14. **AGAINST**—*This law would repeal all veterans' special preference laws.*

FOR—It would not. If anything, it would give emphasis to the unfairness of discrimination against veterans of minority groups.

15. **AGAINST**—*This law would interfere with religious schools; it would compel a Catholic school to hire a Protestant teacher.*

FOR—The law is not intended to apply to schools, religious or otherwise.

WHAT IS ITS EFFECT ON BUSINESS?

16. **AGAINST**—*FEPC would destroy the American system of free enterprise.*

FOR—Free enterprise does not mean unlimited license. The basis of Anglo-American jurisprudence is the realization that every man owns and operates his property and business subject to the requirements of the public welfare. If there were no impartial governmental referee continually on guard, the free enterprise system would soon destroy itself. Besides, there is no free enterprise as long as work opportunities are arbitrarily denied certain groups regardless of ability, character, aptitude and training.

17. **AGAINST**—*This law creates another regulatory body. Business is already subject to excessive regulation.*

FOR—There are scores of laws to safeguard the property and other rights of business. Human rights are no less important than property rights, and equally deserve the protection of law.

18. **AGAINST**—*The success of business depends on the employer-employee relationship. The law restricts rights of an employer in employee selection and takes away his right to manage his own business.*

FOR—No restriction is placed on the employer's right to employ or to upgrade an employee on the basis of his own judgment of the candidate's training, experience, ability, personality, or whatever standards he may choose to set. Nor does the law force business to hire any person or refrain from firing any specific person. On the contrary, it protects him in his right to choose the best candidate without regard to race, creed, color or national origin.

19. **AGAINST**—*Is it fair to insist that an employer hire members of a minority group if his other employees refuse to work with them? This might induce friction between the workers themselves, and between workers and management.*

FOR—The law applies to unions as well as to management, or it would be discriminatory in itself, and the industries where the law would apply are practically all unionized. Besides, it has been the experience of the overwhelming majority of employers who have (many of them for the first time during the war) employed minority-group workers that their fears of employee friction were not realized.

20. **AGAINST**—*The FEPC can force an employer to hire a complainant, even though the employer has no vacancy and would have to fire an employee to take the complainant.*

FOR—FEPC would have no authority to compel an employer to hire when no vacancy exists, or to fire an employee to create a vacancy for anyone.

21. **AGAINST**—*Enforcement of the law will add to the businessman's cost of running his business.*

FOR—On the contrary, it will protect him in his right to hire the best man for the job. It will help also to eliminate unfair price cutting of competitors who pay lower wages to minorities.

IS IT A GOOD PUBLIC INVESTMENT?

22. **AGAINST**—*No one has the right to interfere with the way in which a man conducts his business.*

FOR—It is the legitimate concern of a community that industry within its environs should employ all available labor, without regard to race, creed, color or national origin. The short-sighted employer who limits the materials he can produce and sell because he refuses to hire minority-group workers not only keeps down his own profits; he also keeps down the income of the entire community. Raising the living standards of the most depressed group in a community automatically results in raising the standards of all other groups. The corner grocer, the dry goods merchant, the

public utilities, all prosper when the workingman has a job and decent wages.

23. **AGAINST**—*This law would raise the tax burdens of citizens.*

FOR—The increased productivity and income of minority-group workers would more than offset the small cost of administration.

24. **AGAINST**—*Some minorities, notably Negroes and Mexican-Americans, will work for less money, thereby undercutting wage rates and reducing the standard of living generally.*

FOR—The bill provides specifically that there shall be no wage differential; that all conditions of work, including wages, be the same for each job classification regardless of race, creed, color or national origin. It would help, instead, to raise the general standard of living.

25. **AGAINST**—*Business is reluctant to make new investments, or to expand, in industrial areas where there is racial tension.*

FOR—Enforcement of the law would encourage expansion and new investment, for it would help to alleviate the racial tensions in the areas of job competition.

26. **AGAINST**—*Because minorities often act as strike breakers, they are a threat to unions and to all that unions can accomplish in the way of improvements for workers.*

FOR—Minorities are as quick to join unions as any others to whom the benefits of unions are explained. Usually it is a union's refusal to accept minorities into full membership, especially in closed shop industries where only union members may work, that encourages minorities to become strike breakers as the only means of making a living. The best way to make certain that no minority group is forced to undermine the unions in order to eat is to admit it to membership. The bill makes it unlawful for unions to discriminate in any way against minorities, thus opening new job opportunities to them, giving them all the benefits of unionism, strengthening the unions themselves, and helping to remove the strike-breaking threat.

27. **AGAINST**—*FEPC would upset the patterns of community life.*

FOR—On the contrary, it would tend to normalize community life. In a scarce labor market FEPC would help to make sure that business uses local labor, thus benefiting the community and lessening the need to import outside labor which might also create housing and other shortage problems. When labor is too plentiful in a community and the competition for jobs is keen, FEPC would help to alleviate any racial tensions by ensuring fair employment practices.

28. **AGAINST**—*This bill opens the door for every communist, fascist, nazi, or anyone believing in radical philosophies contrary to the principles of U. S. democracy to obtain key positions in business and unions. FEPC could place radicals in key spots and socialize the nation.*

FOR—The term "creed" in the bill refers to religious belief or affiliation, and not to political belief or affiliation. Besides, FEPC is not an employment agency. It will not create or fill jobs, but will only guard against discrimination on the specific grounds listed in the bill: race, color, creed or national origin. The social stability of the nation is, in the last analysis, the social stability of its individual families. Without FEPC, the door is left wide open for the worst type of un-American agitation. Clergymen, police officers and social workers are continually faced with the problems of social maladjustment created by discrimination.

ADMINISTRATION AND ENFORCEMENT

29. **AGAINST**—*This law would be impossible to enforce. The charge of discrimination is easy to make, but how can it be proved?*

FOR—Actually discrimination is easy to prove. Most often employers admit it. Several unions have discriminatory clauses in their constitutions or by-laws. Discrimination, where practiced, is usually a well-established policy, openly acknowledged and recorded in union contracts, newspaper advertisements, orders to the United States Employment Service or other employment agencies, payroll records. etc.

30. **AGAINST**—*The mere existence of FEPC would encourage every unsuccessful candidate for a job to presume discrimination, and to harass and involve business and unions in unjustifiable and costly litigation with FEPC.*

FOR—Absence of discrimination is equally easy to prove. Trained investigators can screen out and dismiss groundless charges without formal proceedings, and sometimes even without contact with the persons accused. Herein lies one of the greatest advantages of having an administrative agency on hand to protect management as well as employees. The wartime FEPC dismissed as groundless two-thirds of all complaints filed with it.

31. **AGAINST**—*Even if an employer were proved not guilty of discrimination, he would be subject to unfavorable publicity and his business might suffer until cleared.*

FOR—The practice is to give no publicity to a case until and unless the public hearing stage is reached. By that time FEPC must have gathered together enough evidence of discrimination to justify a public hearing, and the employer accused of discriminating would have an equal opportunity in that hearing to refute any charges made against him. The law ensures him that right.

32. **AGAINST**—*The proposed FEPC would have too much power: it would be the instigator, investigator, prosecutor and judge, all in one.*

FOR—The bill would set up a quasi-judicial agency, specifically and only for the purpose of investigating and judging whether the law had been violated, and endeavoring to secure compliance with the law. Its primary function will be to endeavor to secure voluntary compliance; the enforcement power exists only as a last resort for recalcitrants. The procedures of the FEPC are patterned after those followed by other long-established quasi-judicial administrative agencies, such as the Federal Trade Commission, Interstate Commerce Commission, Federal Communications Commission, National Labor Relations Board, etc. The Supreme Court has established ample protection for fair hearings before such agencies. The final power to enforce the law and to invoke sanctions and penalties rests not with FEPC, but with the Federal Courts.

33. **AGAINST**—*Why not provide trial by jury in a community where the violation occurs, rather than by a bureaucratic machinery controlled in far-away Washington?*

FOR—Since discrimination is not made a crime, a jury trial (used in criminal cases or private suits to settle differences) is not necessary or proper. Trial by jury will be accorded those who are charged with a crime under the bill, but this applies only to those who "willfully" interfere with Commission agents "in the performance of duties pursuant to this Act," and therefore are subject to a criminal charge. Where no such crime in involved, but the problem is one of discriminatory employment practices involving only honest differences of opinion, misunderstanding, or other non-criminal violations of administrative regulations, the bill adopts the humane view that such a situation requires correction rather than punishment. Society has a stake in eliminating discrimination, and should assume the responsibility and costs of enforcement by administrative machinery. It should not leave it to individuals to hire their own lawyers to enforce a Federal law. Such enforcement means would be haphazard, complicated, time-consuming, costly, and hardly uniform. The average worker cannot afford protracted court cases. Those who need enforcement of the FEPC law are not able to hire their own lawyers. An administrative agency provides the most speedy, effective and inexpensive means of redress for both worker and employer.

34. **AGAINST**—*The Federal Courts should handle all the judicial aspects from the beginning, instead of the FEPC.*

FOR—An administrative agency handling all the judicial aspects of a case until the point where it must turn to the Courts for enforcement, has the following advantages:

A. Permits a commission of experts and a trained staff to devote full time to the complex problem of job discrimination.

B. Insures uniformity of interpretation, as against the possibility of differing interpretations by almost 100 Federal District Courts.

C. Permits the simple screening out of unjustified complaints. A respondent has to defend every suit filed against him in court, hire lawyers, etc.

D. Avoids legal costs and saves time for both plaintiff and defendant.

E. A judge is an umpire. His only role is to listen and to adjudicate in cases argued before him by opposing parties. An administrative agency's function is more analagous to a court agent, such as a probation officer in juvenile cases, or a special officer in domestic relations cases. Here the function is to iron out the problem humanely, reserving only the unadjustable cases for the courts.

35. **AGAINST**—*The Federal Courts could not hear new evidence.*

FOR—The courts could certainly consider the relevancy of new evidence and, if they wished, could send the case back to the FEPC with instructions for further adjudication in light of the new evidence.

36. **AGAINST**—*Why limit it only to discrimination on grounds of race, etc.—why not include also sex, or age, or refusal to belong to a union?*

FOR—Discrimination on grounds of sex or age is based on unique factors which have no relation to the overall problem to which this bill is directed and is best handled separately. Legislation has been introduced in the Senate and House to eliminate discrimination in employment because of sex. The question of refusal to hire because of unwillingness to join a labor union is in essence the highly controversial "closed shop" issue; the optional choice of union membership can hardly be considered on the same basis as race, color, creed, etc.

CONSTITUTIONALITY

37. **AGAINST**—*The bill is unconstitutional.*

FOR—Final determination as to constitutionality of laws passed by the Congress rests with the U. S. Supreme Court. The FEPC bill, however, was reviewed from the standpoint of its constitutionality and in light of previous Supreme Court decisions on similar legislation, and the official report of the Senate Committee on Education and Labor on S.101 states: "The provisions of this bill follow well-marked legislative

precedents which have met the test of constitutionality in the courts." The following citations are abstracted from this report:

Government Employment: The congressional power to regulate employment practices of all Federal Agencies is found in Article I, Section 8 of the Constitution. No challenge to this power has ever been successful in the courts. See *United States* v. *Mitchell,* 89 F. 2, 805, 8-9 (App. D.C.).

Government Contracts: The congressional power to prescribe the terms on which the Federal Government may contract with private parties has been upheld in *Perkins* v. *Lukens Steel Co.,* 310 U. S. 113, 127.

Regulation of Commerce: The congressional power to regulate employment relations affecting interstate or foreign commerce has been upheld in *National Labor Relations Board* v. *Jones & Laughlin Steel Corp.,* 301 U. S. 1; *Texas & New Orleans Ry.* v. *Brotherhood,* 281 U. S. 548; *United States* v. *Darby,* 312 U. S. 100; *Kentucky Whip & Collar Co.* v. *Illinois Central Railroad Co.,* 299 U. S. 334. The FEPC bill stays within the limits marked out by the statutes upheld in the foregoing cases.

Labor Unions: In *Steele* v. *Louisville & Nashville Railroad,* 323 U. S. 192, the Supreme Court unanimously held that discrimination because of race by a railway labor union against non-members was illegal. A New York State law forbidding unions to discriminate in membership on grounds of race, color or creed, was held to be in accord with the U. S. Constitution by the U. S. Supreme Court in the case of *Railway Mail Ass'n* v. *Corsi,* 326 U. S. 88.

State Rights: The bill is not an invasion of State rights since it is limited to interstate commerce and to Federal activities which are the primary constitutional concern of the Federal Government rather than the States. See *National Labor Relations Board* v. *Jones & Laughlin Steel Corp.,* 301 U. S. 1; *United States* v. *Darby,* 312 U. S. 100; *Kentucky Whip & Collar Co.* v. *Illinois Central Railroad Co.,* 299 U. S. 334.

Partial List of Cooperating National Organizations

Alpha Kappa Alpha Sorority
American Civil Liberties Union
American Council on Race Relations
American Federation of Labor
American Friends Service Committee
American Jewish Committee
American Jewish Congress
American Unitarian Association
American Unitarian Youth
Americans United for World Organization
B'nai B'rith
Catholic Interracial Council
Central Conference of American Rabbis
Church League for Industrial Democracy
Committee of Racial Equality
Common Council for American Unity
Congregational Christian Churches (Council for Social Action)
Congress of Industrial Organizations
Council Against Intolerance in America
Delta Sigma Theta Sorority
Evangelical and Reformed Church, General Synod
Federal Council of the Churches of Christ in America
Fraternal Council of Negro Churches in America
Free World, Inc.
Friends Committee on National Legislation
Improved Benevolent & Protective Order of Elks of the World
Independent Committee of the Arts, Sciences & Professions
Iota Phi Lambda Sorority
Japanese-American Citizens League
Jewish Labor Committee
Jewish War Veterans of the United States
League of United Latin American Citizens
March on Washington
Methodist Church, General Conference
Methodist Ministers' Union
National Alliance of Postal Employees
National Association for the Advancement of Colored People
National Association of Colored Graduate Nurses
National Bar Association
National CIO Committee to Abolish Racial Discrimination
National Committee to Abolish Anti-Semitism
National Community Relations Advisory Council
National Conference of Christians and Jews
National Consumers League for Fair Labor Standards
National Council of Catholic Women
National Council of Jewish Women
National Council of Negro Women
National Council of Student Christian Associations
National Council for a Permanent FEPC
National Farmers Union
National Federation for Constitutional Liberties
National League of Women Shoppers
National Negro Congress
National Negro Insurance Association
National Religion & Labor Foundation
National Urban League
National Women's Trade Union League of America
Negro Newspaper Publishers Assn.
Postwar World Council
Presbyterian General Assembly
Sigma Gamma Rho Sorority
Southern Conference for Human Welfare
Southern Tenant Farmers Union
Study Conference on Just and Durable Peace
Union of American Hebrew Congregations
Union for Democratic Action
United Council of Church Women
United States Student Assembly
Women's Division of Christian Service, Methodist Church
Women's Division of the American Jewish Congress
Women's International League for Peace and Freedom
Workers Defense League
Young Men's Christian Association, National Board
Young Women's Christian Association, National Board

THE FEDERAL PERMANENT FEPC BILL

A Digest-Analysis of S. 101 and H. R. 2232

The Permanent Fair Employment Practice Commission will have but one function: to prevent arbitrary discrimination in employment because of race, color, creed, national origin, or ancestry. It would be the primary responsibility of the Commission to attempt to secure voluntary compliance with the FEPC law. Any party aggrieved by an order of the Commission may appeal to any U. S. Circuit Court of Appeals. When the Commission fails to secure voluntary compliance with a Commission order, it is empowered to apply to the U. S. Circuit Court of Appeals for a court order.*

Management continues free to set its own hiring, training and upgrading practices, to adjust its internal plant policy, and to discharge according to any standard it may adopt, so long as there is no arbitrary discrimination because of race, color, creed, national origin, or ancestry. In the same way, organized labor continues free to manage its internal affairs according to its own lights, except that it cannot deny any of the advantages of opportunities of union organization and collective bargaining to any person because of race, color, creed, national origin, or ancestry.

Scope of the Bill

1. All agencies of the Federal Government.
2. Employers of six or more[1] persons whose operations affect interstate or foreign commerce.
3. Contractors or subcontractors performing services for the Federal Government.
4. Labor unions whose practices affect interstate or foreign commerce. (In S. 101 unions of Federal employees are included.)

Procedures of the FEPC

1. Receives and investigates complaints.
2. Endeavors to adjust complaints by informal and voluntary methods.[2]
3. Where informal negotiations fail, conducts public hearings in which parties charged have right to employ attorneys.
4. If public hearings reveal discrimination, FEPC may issue a formal "cease and desist order." It may also order reinstatement or hiring of employees discriminated against, with or without back pay.
5. Administrative procedures are similar to those of ICC, NRLB, FTC, SEC, FCC, and other like agencies of the Federal Government. The Supreme Court has established ample protection for fair hearings before such agencies.

Enforcement Powers

1. If a cease and desist order (issued after public hearings) is defied, FEPC can do no more than petition the U. S. Circuit Court of Appeals to back up its order. The Court, after review of the case may issue a court decree ordering compliance with the FEPC order. Violation of a court decree is punishable, by the Court, as a "contempt of court."
2. Federal Government contracts may be withheld from violators of the law.

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* Since court review is not applicable where employment in a Federal agency is concerned, enforcement is referred to the President.

3. The only criminal penalty provided is for willful interference with FEPC agents "in the performance of duties pursuant to this Act." In such circumstances, jury trial is available to persons so charged. (It is common practice to include such a protective provision in Federal legislation.)
4. When an agency or official of the Federal Government violates the law, since court action is not applicable, referral is to the President for enforcement, and he may discharge any willful violator.

Judicial Review

1. Only the Court—after judicial review—can enforce an order of the FEPC.
2. Judicial review procedures are similar to those provided for NLRB orders in the law establishing that agency.[3]
3. Any employer or union dissatisfied by an FEPC order may appeal to the Court.
4. The Court will review all questions of law. On questions of fact, the findings of the FEPC will have to be supported by substantial[4] evidence. This is the customary procedure for judicial review of administrative agencies, approved in the past by the Supreme Court.

Supervision and Check

1. Members of the five-man Commission will be named by the President, to serve five-year terms, but must be approved by the Senate.
2. Regulations of the FEPC are subject to automatic review of the Congress, and may be amended or cancelled by the Congress.
3. Congress automatically reviews the operations of all Federal Agencies when acting upon their annual requests for appropriations.
4. Congress may at any time investigate the conduct of a Federal Agency.
5. Judicial review. (See foregoing)

Amendments

The following amendments, introduced in the Senate, are unopposed by the National Council for a Permanent FEPC, on advice of its Legal Committee. (Numbers correspond to footnote numbers in foregoing.)

[1] Only employers or unions of 25 or more persons would be covered.

[2] A section would be inserted to remove any doubt that the Commission must give no publicity to efforts to adjust complaints by conference, conciliation and persuasion, until such efforts fail and public hearing is deemed necessary.

[3] Judicial review procedures would be similar to those provided by law for the Federal Trade Commission, rather than the NLRB.

[4] The word "substantial" would be written into the bill to remove any doubt that substantial evidence would be required by the courts.

For additional copies—free of charge—write:

NATIONAL COUNCIL FOR A PERMANENT FEPC
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